

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

| | | |
|---|---|---------------------------|
| MITCHELL MOONEY, <i>et al.</i> , |) | |
| |) | |
| Plaintiffs, |) | |
| |) | |
| v. |) | Case No. 3:07-CV-1018-WKW |
| |) | |
| ADVANCED DISPOSAL SERVICES, <i>et al.</i> , |) | |
| |) | |
| Defendants. |) | |

ORDER

The court having denied conditional class certification (Doc. # 32), the parties are DIRECTED to confer and to develop a proposed amended discovery plan. *See* Fed. R. Civ. P. 26(f). Accordingly, it is ORDERED that the amended Rule 26(f) report containing the discovery plan shall be filed as soon as practicable but not later than **September 18, 2008**.

The longstanding practice in this district is that dispositive motions shall be filed no later than 90 days prior to the pretrial date. If the parties seek to vary from that schedule, they should present, in the plan, specific case-related reasons for the requested variance. In their amended Rule 26(f) report, however, the parties should assume that the 90-day requirement will apply.

This case will be set for trial before the undersigned judge during one of that judge's regularly scheduled civil trial terms, within 7 to 10 months of this order if a term is available and, if not available, then as soon as possible thereafter. The pretrial date is normally set

within four to six weeks of a scheduled trial term. The dates of each judge's civil trial terms are available on the court's website located at <http://www.almd.uscourts.gov>.

The court may or may not hold a scheduling conference before issuing a scheduling order. If the court holds a scheduling conference, counsel may participate in the scheduling conference by conference call.

The scheduling order entered by the court will follow the form of the Uniform Scheduling Order adopted by the judges of this court. The Uniform Scheduling Order is also available on the court's website.

The report of the parties should comply with Form 35 of the Appendix of Forms to the Federal Rules of Civil Procedure.

DONE this 3rd day of September, 2008.

/s/ W. Keith Watkins
UNITED STATES DISTRICT JUDGE